



## MOTOR SCOOTER REGISTRATION

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### WHAT IS A "MOTOR DRIVEN CYCLE?"

By law, a motor scooter is considered a "motor driven cycle." This category includes any of the following, as long as it has a seat at least 26 inches high and a motor displacing 49 cubic centimeters or less: a (1) motorcycle, (2) motor scooter, or (3) bicycle with attached motor ([CGS §§ 14-1 \(52\)](#) and [14-286](#)).

Motor driven cycles are not considered motor vehicles and therefore do not need to be registered.

### ISSUE

Why does Connecticut not require registration of motor scooters? Has there been any recent legislation requiring their registration? What are some of the laws that apply to motor scooters? How many states require that motor scooters be registered?

### SUMMARY

Motor scooters belong to a class of motor vehicles that include motorcycles and mopeds (bicycles with attached motors). Under Connecticut law, these vehicles must be registered if they have engines of 50 cubic centimeters (cc) or larger. Motor scooters with smaller engines need not be registered.

This was not always the case. Prior to 1976, state law regarded what it called "bicycles with attached motors" as motorcycles, which had to be registered. That changed when the legislature enacted PA 76-250. That act removed "bicycles with helper motors" from the law's motorcycle requirements and placed them instead under the laws governing bicycles.

The legislature did so, in part, at the urging of moped manufacturers, distributors, and dealers, who touted mopeds as possessing more of the qualities of bicycles than motorcycles. One industry representative testified that mopeds were "easy to operate, simple, safe, low-fuel consuming, and much closer to a bicycle in terms of operation." The Department of Motor Vehicles (DMV) supported the reclassification.

In 2008, the legislature revised this law, eliminating references to "bicycles with attached motors" and "bicycles with helper motors" and creating instead the much broader category of "motor driven cycles." As with bicycles with helper motors, motor driven cycles were not considered motor vehicles and thus did not need to be registered. Bicycles with attached motors and certain motor scooters and motorcycles were considered motor driven cycles if they had a (1) seat at least 26 inches high and (2) motor that produced no more than five brake horsepower ([PA 08-150](#)).

In 2013, the legislature changed the upper limit of this engine specification from the production of five brake horsepower to a capacity of 50 cc ([PA 13-271](#)).

Since 2009, legislators have introduced four bills that would have required the registration of motor scooters or motor driven cycles. All four bills died in the Transportation Committee.

Connecticut law generally restricts where drivers can operate motor driven cycles and imposes other safety requirements.

According to AAA, 20 states require registration of mopeds and similar vehicles.

## **MOTOR VEHICLE REGISTRATION**

Connecticut law requires motor vehicles to be registered. By law, motor scooters with engines of 50 cc or more are considered motorcycles, which are a type of motor vehicle, and therefore must be registered. Motor scooters with engines of 49 cc or smaller are considered motor driven cycles, which are not considered motor vehicles.

By law, a motor driven cycle is any of the following with a seat at least 26 inches high and a motor displacing less than 50 cc: a (1) motorcycle, (2) motor scooter, or (3) bicycle with attached motor ([CGS §§ 14-1 \(52\)](#) and [14-286](#)). All motor driven cycle operators must have a driver's license, regardless of the vehicle's engine size.

Other vehicles that do not require registration include golf carts and certain golf-cart type vehicles, farm tractors, lawn mowers traveling slower than four miles per hour, and other vehicles not suitable for highway use ([CGS §§ 14-12](#) & [14-1 \(53\)](#)).

## **RECLASSIFICATION OF MOTOR-ASSISTED BICYCLES - 1976**

Prior to 1976, all motor-assisted bicycles, including mopeds, were considered motorcycles and subject to the laws regulating motorcycles, including registration. In that year, however, the legislature enacted PA 76-250, reclassifying as bicycles certain of these vehicles, which the act termed "bicycles with helper motors."

Among other things, this reclassification eliminated the requirement that they be registered. The act was supported by, among others, moped manufacturers, distributors, dealers, and DMV.

The category of motor-assisted bicycles that were reclassified as bicycles were those with motors of less than 50 cc piston displacement, rated at not more than two horsepower, capable of no more than 30 miles per hour, and equipped with automatic transmissions and operable pedals. The act required riders of bicycles with helper motors to have a driver's license, barred them from traveling at more than 30 miles per hour, and prohibited them from operating on a sidewalk, limited access highway, or turnpike.

### ***Testimony on Reclassification***

Paul Zimmerman, executive director of the Motorized Bicycle Association, testified in support of the bill (SB 625) at a March 22, 1976 Transportation Committee hearing. Zimmerman noted that mopeds had been popular in Europe for about 30 years, and that a number of states had enacted or were considering legislation similar to Connecticut's.

The bill, he said, "recognizes the motorized bicycle for what it is, a unique vehicle, easy to operate, simple, safe, low-fuel consuming, and much closer to a bicycle in terms of operations as it has pedals, hand brakes, and since its speed and power is limited to lower than that of a 10-speed bicycle."

The legislature adopted some of Zimmerman's recommendations, including removing them from the definition of motorcycle and thus from classification as a motor vehicle. Continuing to regard mopeds as motor vehicles, Zimmerman said, did not make sense when most of them were being sold in bicycle stores.

DMV Commissioner Stanley Pac also testified in support of the bill. Pac also recommended some changes to the bill, including limiting engine size to 50 cc and engine performance to two brake horsepower. These limits, Pac said, "would keep the speeds down under 30 miles an hour and would...make them much safer." The law as enacted included these provisions.

Legislators debating the bill on the floor of the House and Senate touted mopeds' fuel economy. Representative Tulisano said the bill "would be a great encouragement to energy conservation." Senator Rome said mopeds were "a vehicle whose time has come, not only for environmentalists, but enthusiasts of the out-of-doors, fun, safety, and economy."

## **SUBSEQUENT CHANGES IN THE LAW**

### ***Creation of Class of "Motor Driven Cycles" - 2008***

In 2008, the legislature revised the law to redefine a bicycle with a helper motor as a "motor driven cycle" ([PA 08-150](#)). It eliminated some of the previous requirements for such a vehicle, such as the maximum production of two brake horsepower, and instead defined a motor driven cycle as a motorcycle, motor scooter, or bicycle with an attached motor with a seat height of at least 26 inches and a motor that produces five brake horsepower or less. These vehicles, like bicycles with helper motors, were not considered motor vehicles and therefore did not have to be registered.

The change in the law decided the question of whether small motor scooters were to be considered bicycles or motorcycles by classifying them in the newly created category of motor driven cycles.

### ***Change in Motor Specifications - 2013***

In 2013, the legislature modified the engine specifications for motor driven cycles by replacing the requirement that they produce five brake horsepower or less with the requirement that have a capacity of less than 50 cc piston displacement ([PA 13-271](#)).

## **LAWS APPLYING TO MOTOR DRIVEN CYCLES**

The laws that specifically apply to motor driven cycles and their operators include the following:

- An operator must have a driver's license ([CGS § 14-286](#)).
- Operators cannot drive on any sidewalk, limited access highway, or turnpike ([CGS § 14-286](#)).
- When traveling on a highway where the speed limit exceeds the motor driven cycle's maximum speed, operators must travel in the right hand lane or shoulder, except when preparing to turn left at an intersection or into or from a private road or driveway ([CGS § 14-286](#)).
- Operators and passengers under age 18 must wear motorcycle helmets ([CGS § 14-289g](#) as amended by [PA 15-46](#)).

## **BILLS REQUIRING REGISTRATION OF MOTOR DRIVEN CYCLES**

Since 2009, four bills requiring registration of motor driven cycles or motor scooters have been introduced. The Transportation Committee did not report any of them out of committee. The bills were [SB 659](#) (2009), [HB 6032](#) and [HB 6034](#) (2013) and [HB 5536](#) (2015).

We were able to find testimony only for [HB 6034](#), which would have required registration and motor vehicle insurance for all motor driven cycles, regardless of engine size or horsepower.

Both Representative Luxenberg, who introduced the bill, and Ronald Trinks, who testified in favor of it, focused on the bill's insurance requirement and not the registration aspect in their testimony.

## **STATE MOPED REGISTRATION LAWS**

According to the [AAA Digest of Motor Laws website](#), 20 states require registration of mopeds and similar vehicles, such as motorized bicycles and scooters with engines smaller than 50 cc. These states are Alabama, Arizona, Colorado, Delaware, Hawaii, Illinois, Indiana, Iowa, Michigan, Minnesota, Nevada, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, and Washington.

## **ADDITIONAL INFORMATION**

More information on mopeds can be found in a March 9, 1981 OLR Report and OLR Reports 82-R-842 and [2004-R-0683](#).

PF/CM:bs